

HONORABLE THOMAS N. ZILLY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

GLACIER NORTHWEST, INC.,

Plaintiff,

v.

CEMENTAID INTERNATIONAL
MARKETING, LTD.,

Defendant.

Case No. 18-cv-556-TSZ

JOINT STATUS REPORT

Pursuant to the Court's Minute Order of April 14, 2020, Docket No. 27 ("Minute Order"), Plaintiff Glacier Northwest, Inc. and Defendant Cementaid International Marketing, Ltd. hereby submit their Joint Status Report.

There are two underlying actions at issue in this case. The first underlying action, entitled *Millennium Tower Association v. Mission Street Development, LLC et al.*, San Francisco County, California, Superior Court Case No. CGC-17-557830, was consolidated with a number of other actions into a lead case entitled *Lehman, et al. v. Transit Joint Powers Authority, et al.*, San Francisco County, California, Superior Court Case No. CGC-16-553758 ("Consolidated Actions"). The Consolidated Actions also include a class action, entitled *Maui Peaks Corporation,*

1 *et al. v. Mission Street Development, et al.*, San Francisco County, California,
 2 Superior Court Case No. CGC-17-560322. The parties in the Consolidated Actions
 3 have entered into a comprehensive series of settlement agreements, including a Class
 4 Action Settlement Agreement, Global Settlement Agreement, and Proceeds Deposit
 5 and Payment Agreement.

6 In its Minute Order, the Court directed the parties to “file another Joint Status
 7 Report within fourteen (14) days after final approval of the settlement in *Millennium*
 8 *Tower.*” Dkt. No. 27. Accordingly, the parties hereby file this Joint Status Report to
 9 inform the Court that an Order Granting Final Approval of Class Action Settlement,
 10 Attorneys’ Fees, Costs and Service Awards was entered on August 7, 2020. The
 11 finalization of the settlement in the Consolidated Actions is currently pending
 12 completion of several pre-conditions, including expiration of a statutory objection
 13 period.

14 The second underlying action, *Homeowners Association v. Almaden Tower*
 15 *Venture, LLC et al.*, Santa Clara County, California, Superior Court Case No.
 16 17CV314037, is still pending. There is a settlement conference scheduled for
 17 November 4, 2020 and a jury trial scheduled for November 30, 2020.

18 In light of the Court’s Order of April 9, 2019 staying this action while the
 19 underlying actions are pending and no scheduling conference date set, the parties
 20 have not yet discussed the topics set forth in Fed. R. Civ. P. 26(f)(3) and in LCR
 21 26(f).

23 DATED: August 21, 2020

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28 Joint Status Report

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